



ప్రకాశం జిల్లా రాజపత్రము

సా ధా రణ ము

అధికారమువలన ప్రచురించబడినది

నెం. 4

ఒంగోలు, 2011వ సంవత్సరము, జూన్ నెల, 18వ తేది, శనివారము

విషయ సూచిక

కలెక్టరు వారి ప్రకటనలు

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జుడీషియల్ ప్రకటనలు

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కలెక్టరు వారి ప్రకటనలు

Copy of :-

PROCEEDINGS OF THE DISTRICT COLLECTOR AND MAGISTRATE
PRAKASAM DISTRICT, ONGOLE

Present : SRI KANTILAL DANDE , I.A.S.,

Rc. C4/238/2009

Dated : 25-4-2011]

Sub : Verification of Caste - Prakasam District - Ballikurava Mandal, Kukutlapalli Village - Sri Malleboina Srisailam S/o Lachiah - working as N.T.P.A. in O/o Chief Engineer, P.H., Hyderabad - enquired in D.L.S.C. cancellation of 'YANADI' Scheduled Tribe caste certificate - Orders - Issued - Reg.

Read : 1 Govt. Memo. No. 13788/Vig.IV.2/2008-1, dated 05-12-2008 from the Principal Secretary to Government. Municipal Adm. & Urban Dev. Dept,
2 This office Letter Rc. C4/238/2009, dated 26-03-2009 to Tahsildar, Ballikurava.
3 Letter no. D5/947/2009, dated 16-02-2009 from the Collector, Hyderabad.
4 Report of the Tahsildar, Ballikurava, Rc.no. B/467/2008, dated 03-04-2009 along with Rc. No. 190/RCA-CIU-Hyd/2008, dated 14-08-2008 from Inspector of Police, ACB, Hyderabad.
5 This office Letter Rc. C4/238/2009, dated 15-04-2009 to Tahsildar, Ballikurava.
6 Report of the Tahsildar, Ballikurava in Rc.No. 467/2008B, dated 28-04-2009 along with 6 statements at 2 xerox copies.

7. Report submitted to the Principal Secretary to Government Municipal Admn. & Urban Dev. Department vide Collector Ir.No.Rc. C4/238/2009, dated 13-05-2009.
8. Government No. 6634/CV.2/2009-1, dated 23-06-2009 from the Principal Secretary to Government (SW) Department.
9. C.C.L.A's reference No. C4/1971/2008, dated 29-09-2009.
10. Notice Rc. C4/238/2009, dated 05-11-2009.
11. D.L.S.C. Meeting held on 20-11-2009.
12. Govt. Memo No. 6634/CV.2/2009, dated 28-10-2009 from Social Welfare Department.
13. Notice Rc. C4/238/2009, dated 24-11-2009.
14. Representation dated 11-12-2009 for Sri M. Sri Sailam, NIPA received on 17-12-2009
15. Telegram dated 14-12-2009 for Sri M. Sri Sailam, NIPA received on 15-12-2009.
16. Notice Rc. C4/238/2009, dated 27-01-2010.
17. Notice Rc. C4/238/2009, dated 02-03-2010.
18. Telegram dated 15-03-10 from Sri M. Sri Sailam, received on 17-03-2010.
19. Notice Rc. C4/238/2009, dated 20-03-2010.
20. Tahsildar, Ballikurava further report in Rc.B/467/2008, dated 03-03-2010 received on 09-04-2010.
21. This office Rc. C4/238/2009, dated 10-12-2010.
- 22/ R/o Sri M. Sai Sailam dated 05-02-2011

ORDER :

The Secretary to Government, Municipal Administration and Urban Development Department, Hyderabad has informed the Collector, Prakasam in the reference 1st cited, that the Mandal Revenue Officer, Ballikurava has issued false Caste Certificate certifying Sri Malleboina Sri Sailam S/o Lachaiiah as belonging to ST.-Yanadi Community vide Rc.dis/367(2)/1985, dated 25-07-1985 on the basis of which the individual secured employment in the O/o Engineer in Chief, Public Health, Hyderabad as Junior Assistant through APPSC; that the Mandal Revenue Officer vide letter dated 28-08-2008 reported that Sri Malleboina Sailam has not resided at Kukatlappalli village of Ballikurava Mandal at any time and finally requested to enquire the genuineness of the ST-Yanadi Caste Certificate held by Sri Malleboina Sri Sailam and furnish a detailed report to the Government.

The Collector, Prakasam in the reference 2nd cited, instructed the Tahsildar, Ballikurava to conduct, a discreet enquiry into the Caste status of Sri Malleboina Sri Sailam and submit a report to the Collector.

The Collector, Hyderabad informed the Collector, Prakasam in the reference 3rd cited that Sri Malleboina Sri Sailam presently working as NIPA in the O/o Engineer in Chief, Public Health, Hyderabad was recruited through Group-II services by APPSC based on ST-Yanadi Caste Certificate issued by the then Mandal Revenue Officer, Ballikurava vide RDis./367(2)/1985, dated 25-07-1985 and cited the Joint Director, ACB report and requested for taking necessary action as per the powers conferred u/s 5 of A.P. (SC, ST, & BC) Regulation of issue of Community Certificates Act, 1993 and Rules 1997 by conducting enquiry regarding correctness of the caste certificate and if it was obtained fraudulently to cancel the same by notification after giving the person an opportunity of making a representation duly informing the ACB of the action taken.

The Tahsildar, Ballikurava submitted an enquiry report in the reference 4th cited, where in the following facts are reported.

a) "The Inspector of Police, ACB requested to furnish a detailed enquiry report on Caste Certificate issued to Sri Malleboina Sri Sailam of Kukatlapalli village as belonging to ST-Yanadi, dated 25-07-1985 by the then Mandal Revenue Officer, Ballikurava. That the ACB Inspector also informed that during the course of their investigation, it is learnt that Sri Malleboina Sri Sailam belongs to B.C. Yadava Caste.

b) The Tahsildar, Ballikurava has sent a report dated 28-08-2008 informing the enquiry revealed that Sri Malleboina Sri Sailam S/o Latchaiah has not resided in Kukatlapalli village of Ballikurava Mandal at any time; specimen signatures of the then Tahsildar of Ballikurava extracted from office records signed during the course of normal duties were also sent.

c) The office disposal bearing no. R.Dis/367(2)/1985 dated 25-07-1985 has been traced out and it revealed that Sri Malleboina Sri Sailam has applied for S.T.Yanadi certificate for obtaining nylon thread for performing his occupation through S.T. Department affixing his thumb impression on the application (with out mentioning date).

d) Sri T. Rangaiah, the then Revenue Inspector endorsed on the application that the applicant belongs to Yanadi Caste on 25-07-1985.

e) Sri Puli Laxmaiah, who acted as Sarpanch of Kukutlapally Grama Panchayat (at that time) has given a certificate to the effect that Sri Malleboina Sri Sailam is a resident of Kukutlapalli village and he belongs to ST-Yanadi Community.

f) Based on the above two records the then Mandal Revenue Officer, Ballikurava Sri B. V. Satyanarayana issued caste certificate to Sri Malleboina Srisailam as belonging to Yanadi - ST Community in RDis/N. 367(2)/1985, dated 25-07-1985 which also contains the signature of Revenue Inspector and initial of concerned clerk.

g) That the Additional Revenue Inspector, Ballikurava enquired into the matter and as per his report dated 3-4-2009, Sri Malleboina Sri Sailam and his family members are not residing in Kukatlapalli Village either in the present or in the past and the Surname "Malleboina" does not relate to Yanadi community; elders of the Kukatlapalli village Yanadi colony and their Sarpanch have given statements accordingly to that effect; the ARI could not enquire Malleboina Sri Sailam in person or his family members as they are not available in the Village".

The Tahsildar, Ballikurava has been requested in the reference 5th cited, to enquire personally and furnish information on the following aspects.

- a) Native Place of the individual.
- b) Whether he is residing in Kukatlapalli Village or not, if not present address of the individual.
- c) Whether the certificate issued by the Mandal Revenue Officer is genuine or not.
- d) To furnish a factual report on the social status of the individual.

The Tahsildar, Ballikurava vide reference 6th cited, submitted a report with the following information.

- a) Sri Malleboina Sri Sailam, S/o Latchaiah is not a resident of Kukatlapalli Village.

- b) Present address of Sri Sailam is not found.
- c) The Caste Certificate issued in favour of Sri Malleboina Sri Sailam is found genuine as per the office records.
- d) On enquiry of the Village Revenue Officer and Village Servants of Kukatlapalli Village, they reported that no such person is available in the Village and none of his relatives are residing in Kukatlapalli Village.

Finally concluded that the individual obtained ST Caste Certificate irregularly from the office in the year 1985 basing on the recommendation made by Late Puli Laxmaiah the then Sarpanch of Kukatlapalli Village.

Vide reference 7th cited report has been submitted to the Principal Secretary to Government, Municipal Administration and Urban Development Department, Hyderabad.

The Social Welfare Department requested Collector, Prakasam in the reference 8th cited, to conduct a detailed enquiry on the social status of Sri Malleboina Sri Sailam as per rules issued in G. O. Ms. No. 58, SW (J) Department, dated 12-5-1997 and furnish final orders to the Government for taking further action.

In the reference 9th cited, the Chief Commissioner of Land Administration, Hyderabad requested, the Collector, Prakasam to take immediate steps for cancellation of ST certificate issued to Sri Malleboina Sri Sailam following proper procedure prescribed and to send action taken report to the Vigilance Commission, Secretariate urgently.

Vide reference 10th cited, notice is served upon Sri Malleboina Sri Sailam to appear before the DLSC meeting on 28-11-2009. Sri Sri Sailam did not attend the meeting.

The Govt. Social Welfare Department reminded the Collector, Prakasam in the reference 12th cited, regarding the action on social status verification of Sri Malleboina Sri Sailam and submission of report.

Vide reference 13th cited, notice is served upon Sri Malleboina Sri Sailam to appear before the DLSC meeting on 11-12-2009. Vide reference 14th cited, Sri Malleboina Sri Sailam requested for post ponement of the DLSC meeting due to bandh and non-availability of buses. Vide reference 15th cited, a telegram was also received with a similar request.

Vide reference 16th cited, once again notice is served upon Sri Malleboina Sri Sailam to appear the DLSC meeting on 5-2-2009. Sri M. Sri Sailam did not attend the meeting.

Vide reference 17th cited, notice has been sent to attend meeting on 16-3-2010. Vide reference 18th cited, Sri M. Srisailam requested to post pone the DLSC meeting.

Vide reference 19th cited, notice is served on Sri Malleboina Sri Sailam to attend DLSC meeting on 9-4-2010.

The Tahsildar, Ballikurava has sent further report in the matter informing the following.

"Enquiry revealed that 'Malleboina' surname people never resided presently or in the past at Kukatlapalli Village and even the village people -elders of Lalapureddy Village, ST Colony, Kukatlapalli Village, do not know in their caste of 'Malleboina' surname people".

Sri Malleboina Sri Sailam did not attend DLSC meeting on 9-4-2010, however he submitted a representation vide reference 21* cited to permit him to appear before the DLSC meeting on 10-4-2010. Accordingly the DLSC meeting was held on 10-4-2010. Sri Malleboina Sri Sailam attended the proceedings; he has submitted proforma information and a statement has also been recorded from him. Specimen signatures of Sri Malleboina Sri Sailam were submitted to the committee. The committee members have perused the original file R. Dis No. 367/85 of Mandal Revenue Officer, Ballikurava of file.

The details are as follow :

- Ø File No. R. Dis. 367/85, Kukatlappalli Village, Ballikurava Mandal.
(A) "Caste verification - Malleboina Srisailam - Disposal".

--page 5 of the file shows an application purportedly submitted by Malleboina Sri Sailam, bearing a thumb impression, where in the following is found;

" I belong to ST Yanadi caste; to request A.P.S.T. Department for supply of Nylon yarn for my profession; I need a caste certificate, hence kindly issue caste certificate to me (Thumb impression of Sri Malleboina Sri Sailam).

The applicant belongs to Yanadi Caste, Sd/- Revenue Inspector, dated 25-7-1985.

(B) Certificate issued by Puli Laxmaiah, Sarpanch, Kukatlappalli, to the effect that Sri Malleboina Sri Sailam, S/o Latchaiah belongs to ST - Yanadi Caste.

(C) Office copy of the original caste certificate issued by Mandal Revenue Officer, Ballikurava dated 25-7-1985 to Sri Malleboina Sri Sailam.

II Proforma information submitted by Sri Malleboina Sri Sailam to the Chairman, DLSC along the meeting held on 10-4-2010.

- Name : Malleboina Sri Sailam
- Father : M. Latchaiah
- Native Village : Mandra
- Mandal : Narketpalli
- District : Nalgonda
- Present Place of residence : Hyderabad
- Age : 47 years
- Profession : Govt. Service
- Tribe : Yanadi
- Gotra : Sasatra
- I belong to Golla Tribe by virtue of my parents
- Family residence from the past 19 years.

SlNo.	Place	Year	Address
1.	Mandra	1963 to 1977	Mandra, NarketpalliMandal.
2.	Mandra	1978 to 1985	Mandra, NarketpalliMandal.
3.	Hyderabad	1985 to 2010	Hyderabad

- Born at Home on 14-2-1963 and I am fourth issue to my parents
- (particulars of family members)

1.	M .Satyamma	Female	54 years	All these have caste certificates as Yadava as per my caste
2.	M .Poolamma	Female	52 years	
3.	M .Satyaramalingam	Male	50 years	
4.	M .SriSailam	Male	47 years	
5.	M .Pramesh	Male	40 years	

- All family members like great grand father , grand father , father , sisters, brothers, their children, their spouses, uncles, aunts, their children, their spouses, all belong to Golla - Yadava Community.
- The Surnames of relatives.

SL.No.	Surname	Place (Village)	Mandal	District
1.	M anne	Suryapeta	Suryapet	Nalgonda
2.	M anne	Yedavalli	Narketpalli	Nalgonda
3.	M ukamala	M andra	Narketpalli	Nalgonda
4.	Kaneboina	M arigudem	M arigudem	Nalgonda

- Marriage traditions in the Community.

- (i) Forceful marriage with girl - No
- (ii) Mutual consent - Yes
- (iii) By Service- No
- (iv) Kunda Marpidi (Mutual exchange) - No

- Devara Nyayam

Whether Marriages with other Tribal people in tribal / non tribal areas - No

Is there any specific language - No

Can you speak any other language - No

- Deities Worshipped

- (i) - Siva
- (ii) - Venkateswara Swamy
- (iii) - Vinayaka
- (iv) - Ayyappa.

- Education particulars

Class	Year	School
I to V	1971 - 1975	D .S .M andra
V I to V II	1975 - 1977	U .P .S .U thatur
V III to X	1977 - 1980	Ram agiri High School, Nalgonda
X I - X II	1982 - 1985	Nalgonda Jr. College
Degree	1982 - 1985	N .G .College, Nalgonda

III In his statement dated 10-4-2010 at 11 A. M. before DLSC Sri Malleboina Sri Sailam stated as follows.

"I. Malleboina Sri Sailam, aged 47 years, resident of D. No. 19-54, Vivekananda Colony Dilshuknagar, presently working as NIPA, O/o Engineer in Chief, Public Health, Hyderabad. Our Malleboina family belongs to Mandra Village, Narketpalli Mandal; My father Latchaiah, my grand father Gopaiah lived in Mandra Village; Our family possessed 22 to 30 Acres of land in Mandra Village and cultivation was done; subsequently the lands were sold away, as on date, we have a house and some land; I studied B.Sc., at Nalgonda Degree College; Sri M. Subba Rao, R/o Kukatpalli Village is a friend to my father, he used to help my father in purchase of bullocks from Ongole; as conveyed by my father Sri Subba Rao is president of Yanadi Sangam, Ballikurava Mandal of Prakasam District; He used to visit our house frequently - he had only one son who separated and went away due which reason, he showed interest towards me, requested my father to permit him to take care of me and my father also agreed for this (.....). While studying VIII Class during 1977, I visited Kukatlapalli Village once and stayed for 3 days and again while studying Intermediate, I visited a village near Chenkupalli to attend a marriage; I don't know details of Subba Rao's wife, she is called Bharathi Bai, they have a house and some property at Kukatlapalli, but they have not given any property to me, however, while I was studying Subba Rao used to give me some amount; I donot know, when Subba Rao died probably he died during 1997-1998 and his wife died prior to that - Subba Rao did not bring me to Kukatlapalli when his wife died; In fact after my degree he requested me to marry his sister's daughter, but she did not agree; Later on I was working in a private company and he also did not bother about me, my wife is Venkatammam, she belongs to Yadava Community, my brother Paramesh, he married Geetha from Reddy Community, my another brother Satyaramalingam (died in a road accident) a teacher married a girl from Yadava Community, one of my sister died unmarried, second sister is married to a Yadava person from Suryapeta, Sri Subba Rao brought me a certificate showing me as belonging to ST - Yanadi caste; in those days I was working in a shop and Subba Rao said how many days, will you work in a shop" and handed over ST Certificate; I never lived in Kukatlapalli. I have not submitted any application in the Mandal Revenue Office, Ballikurava requesting for ST Certificate, I don't know how Subba Rao brought that certificate to me and do not know any thing more than this".

The committee members posed the following questions :

1 District Revenue Officer.

Q : Is there any adoption Certificate

A : I don't know.

Q : If Subba Rao has adopted you, should have his surname

A : Surname has not changed, I don't know surname of Subba Rao

Q : After adoption surname must change, had it changed

A : Not changed, I don't have awareness.

2 District B.C. Welfare Officer

Q : Have you secured employment through 1987 APPSC Group-II on the basis of ST Certificate provided by Subba Rao.

A : Yes, It is in 85 batch, but not in 1987 batch, Actual appointment is in 1989.

Q : Did you not feel guilty to secure Government Employment with ST Yanadi Certificate in spite of being a degree holder belonging to Yadava Community Caste.

A : As Subba Rao has adopted me, I did not feel guilty to secure employment under S. T. Certificate.

3. District Social Welfare Officer

Q : During your student career your caste is recorded as Yadava or Yanadi.

A : Yadava.

4. Inspector C.B.C.I.D. Department

Q : Intentionally you are enjoying a post earmarked for STs by virtue of bogus ST Certificate though belonging to Yadava community.

A : I have not done it intentionally, since Subba Rao adopted me, I have taken Job earmarked for STs

5. Joint Collector & Chairman

Q : Is there any ACB case against you.

A : Yes, A disproportionate assets case is in preliminary stage, due to that only my Yanadi ST Certificate has come for verification.

Q : Are you aware that obtaining a bogus caste/tribe certificate and gaining the benefits of ST is a crime as per the provisions contains in the Act 16 of 1993.

A : I don't know.

Q : (Showing the application for caste certificate at page no. 5 in M.R.O., Ballikurava file R.Dis. no./367/85) Is it submitted by you.

A : No.

Q : Is the finger print affixed there, is yours.

A : No. I am submitting my right and left Thumb impressions to the Committee.

Q : Your family particulars.

A : I have 3 children, first son Mahesh, 23 years, second daughter Manatha, 18 years, third daughter Mounika 16 years.

Q : Do they have Yadava or Yanadi Certificates.

A : All of them have Yadava Certificates, Yanadi Certificates have not been taken.

IV. The committee members have compared the specimen finger prints of Left and Right thumb impressions submitted by the Malleboina Sri Sailam during the D.L.S.C. on 10-4-2010 with the finger print impression affixed on page no. 5 of Mandal Revenue Office file and felt that the naked eye examination shows they are not tallying.

Opinion of District B.C. Welfare Officer, Ongole - Member

After discussions in the District Level Scrutiny Committee meeting held on 10-4-2010 between the members and candidate in respect of genuineness of caste of Sri Malleboina Sri Sailam S/o Latchaiah, I am of the opinion that Malleboina Sri Sailam S/o Latchaiah belong to "YADAVA" caste since all of his family members belong to 'YADAVA' caste and he himself admitted that he belongs to 'GOLLA' community by virtue of his parents.

Hence, I opine that Malleboina Sri Sailam S/o Latchaiah belongs to 'YADAVA' community and not YANADI (ST) Community.

Opinion of District Tribal Welfare Officer, Ongole - Member

During the discussion in the District Level Scrutiny Committee meeting held on 10-4-2010 by the members with the candidate in respect of genuineness of caste of Sri Malleboina Sri Sailam S/o Latchaiah who is working in the O/o the Engineer-in-Chief, Public Health in Hyderabad, it is noticed that as per the statement given by the individual and also his father, and also due to non-submission failure to submit the evidential documents for the proof that he belong to ST community ie. Yanadi community, I opine as a members of the District Level Scrutiny committee that Sri Malleboina Sri Sailam do not belong to Yanadi community and he belongs to Yadava community.

Opinion of District Social Welfare Officer, Ongole - Member

During the discussions made in the District Level Scrutiny Committee meeting held on 10-4-2010 the members with the candidate regarding genuinity of caste Malleboina Sri Sailam S/o Latchaiah, I opine that Sri Malleboina Sri Sailam S/o Latchaiah belong to 'YADAVA' Caste and also all of his family members belongs to 'YADAVA' caste and the individual himself admitted that he belongs to 'GOLLA' community.

Hence, I opine that Malleboina Sri Sailam S/o Latchaiah belongs to 'YADAVA' Community and do not belongs to 'YANADI' community.

Opinion of Deputy Superintendent of Police, CID, Guntur - Member

During the enquiry the respondent Malleboina Sri Sailam himself declared that he and his family members never resided at Kukatlapalli village of Ballikurava Mandal in Prakasam District. He also declared that his caste is recorded as "Yadava" community since his school days. Further, he secured employment through A.P.P.S.C. Group - II on the basis of false S.T. caste certificate.

Under the above circumstances, I opine that Sri Malleboina Sri Sailam belongs to 'Yadava' by caste.

Opinion of District Revenue Officer, Ongole - Member and Convener

During the enquiry Sri Malleboina Sri Sailam, himself stated that his family belong to 'Yadava' caste, their native is Mandra village of Narketpalli Mandal of Nalgonda District, and he never resided in Kukatlapalli village of Ballikurava Mandal of Prakasam District. He fraudulently obtained 'Yanadi' caste certificate from the Mandal Revenue Officer, Ballikurava and appeared for Group-II examinations, conducted by A.P.P.S.C. with that certificate and secured employment.

Hence, I opine that Sri Malleboina Sri Sailam belongs to 'Yadava' caste which comes under B.C.-D Group.

Opinion of the Joint Collector / Chairman, DLSC.

- * From the very admission of Sri Malleboina Sri Sailam S/o Malleboina Latchaiah in his statement before the DLSC meeting on 10-4-2010 that he is a native of Narketpalli, Nalgonda District it is clear that securing an S.T. Yanadi certificate from Ballikurava Mandal claiming to be a native of Kukatlapalli Village shows that the ST Certificate issued to him is invalid/fictitious.
- * He confessed that one Sri M. Subba Rao who at some point of time was president of "Yanadi Sangam" (Local), handed over an 'ST Yanadi' certificate to him as he was struggling due to poor private employment clearly proves that the certificate of S.T. 'Yanadi' held by him and which formed basis for his appointment in Government post earmarked for ST category is false / fictitious.
- * The relevant case file maintained in the Tahsildar's Office shows an application, admittedly not written by Sri Sailam, bearing a "Thumb impression" where as Sri Sailam is an educated person. He admitted during DLSC meeting on 10-4-2010 that the said application is not submitted by him nor the thumb impression is of him. He has furnished specimen Thumb impressions for comparison. Since he has already denied that

it is not his application nor his thumb impression, the committee members felt further verification is not warranted.

- * As regards his concocted claim of imaginary adoption by M. Subba Rao etc. it is clear that it is an after thought.
- * It is sad that after 1985 Group II-B APPSC batch, recruited in 1989 i.e., after about 2 decades, that fact that he is a Yadav and not an ST Yanadi has come to light that too only because of an ACB enquiry. This clearly shows the performance of system and absence of Checks and Balances or internal check & internal control.
- * Neither his father nor mother or any other relative received S.T. Yanadi certificate and he admitted that all of them have Yadava BC certificate.

The D.L.S.C. after due discussions have come to a firm conclusion that Sri Malleboina Sri Sailam belongs to Yadava community, but not S.T. Yanadi and Unanimously resolved to recommend to the Collector, Prakasam for cancellation of "S.T. Yanadi" certificate held by him and for initiation of Disciplinary, and criminal action against the individual as per the provisions of the Act 16/93.

A copy of the report submitted by the District Level Scrutiny Committee has been sent to Sri M. Srisailam vide letter Rc.C4/238/2009 dated 10-12-2010 as required under the provision of Section 5 (1) of the Act 16/93 with instructions to avail opportunity for making representation if any within 7 days. He has submitted a representation dated 5-2-2011, and stated that the notices were received from Collector, Ongole vide Rc.C4/238/2009 to attend D.L.S.C. meeting on 20-11-2009, 11-12-2009, 16-3-2010 and 9-4-2010 for enquiry on caste certificate. He received a phone call from his brother and informed that his uncle has expired on 8-4-2010 at 9-30 P.M., while he is travelling to Ongole from Dilshuknagar Bus stand, and on information received he has returned home to attend his uncle funeral along with his family on 9-4-2010, the same facts he informed to Committee by way of a Telegram. While attending the funeral, received a phone call from Joint Collector, Ongole to attend meeting on 10-4-2010, for which is second Saturday and public holiday at 11-00 A.M. instead of 9-4-2010 without fail, as such I have promised to attend before the committee on 10-4-2010. After receiving phone call I depressed suddenly suffering with Hypertension/Sugar/B.P. The committee issued certain questioner and filled it, and gave a statement by me and recorded. I felt fear and confusing mood and depression, as the committee has not given any opportunity to me for next hearing to produce documentary evidence. My grand father possessed some agriculture lands in Mandra village, Narkatpally Mandal of Nalgonda District cultivating the lands some time, later some lands were sold away. I have studied in Mandal and Uttatoor villages and Nalgonda town from 8th class to B.Sc., degree. Sri M. Subba Rao resident of Kukatlappally is a friend to my father and visited to my house frequently as he is closely behaving to my family member, and helped to my father in purchasing bullocks from Ongole and agriculture implements. I know that M. Subba Rao is President of Yanadi Sangam Ballikurava Mandal of Prakasam District. He is having one son, who separated from him. He showed very much interest on me and requested my father to permit him to take care of me, and agreed for adoption. At my age of 14 years, I am studying 8th Class at Nalgonda, my family members are being visited to Sri Sailam Devasthanam along with M. Subba Rao and adopted me to M. Subba Rao. Later I visited Kukatlappally village and stayed some time, and during the period they treated me as his own son, and give some money for my education. After completion of Degree, I am working in a shop/private company, at that time Sri M. Subba Rao came to me and handed over Yanadi caste S.T. certificate, and stated that the certificate obtained from MRO, Ballikurava Mandal, based on his adoption only. I never submitted any application before the MRO for S.T. certificate. In view of the above facts and circumstances, I do

not know how M. Subba Rao brought the certificate, without my knowledge. I appear A.P.P.S.C., Group-II B, Examination in the year 1985, and recruited in the year 1988, after lapse of more than 25 years, the authorities has issued notice for verification of my caste certificate. I submit that, I know the Sub - caste of Golla ie., Eara Golla, Sadhanampu Golla, Papanati Golla, Musti Golla, Rudpothulla Golla, Kuruma Golla, Pooja Golla, Yanadi Golla etc., which are related the Golla caste and M. Subba Rao Yanadi golla is relation and best friend of my father. The candidates belongs to SC/ST get employment, any dispute against them, employer has to take action within 20 years, after that time the action is illegal and contrary as per rules, as per High Court and Supreme Court orders. But the DLSC has opinioned to cancel ST Yanadi caste certificate without considering the above facts, which is alleged unjust in proper and contrary to court orders".

I The Hon'ble High Court of A. P., in W. P. No. 11914/1985 filed by Sri Bandi Srinivase Rao held that adoption shall be only for the purpose of personal law but for the purpose of constitution such person is outside the fold of Schedule Tribe and cannot treated as a Scheduled Tribe candidate.

The public notification issued by the President of India under article 342(1) is conclusive subject to Amendment made by the Parliament under article 342(2) and the court cannot declare the status of a particular citizen that he belongs to a Schedule Tribe. The statute law or customary law cannot prevail over the fundamental law of the land Viz., constitution and is SUI GENERIS. The purpose of the constitution is to assimilate the terrain Schedule Tribe with the main stream of the society Viz., the plain people but the device of adoption, if it is motivated - to have unjust claim of the advantages envisaged under the constitution it would be the endeavor of the Court to discourage such attempts by adopting harmonious construction to sub serve the purpose of constitution if the contention of the learned counsel is given credence to, and accepted, it would be an easy inroad to defeat the object of 15(4) and 16(4) by adopting legal devices as means to infiltrate into the schedule Tribe list with in the meaning of article 366 (25) and article 342, which the statute law itself declares inapplicable, unless the Central Government by notification applies it and frustrate the very purpose of constitution.

II Section 2(2) of the Hindu Adoptions and Maintenance Act 1956 (Central Act) is as under :

"2(2) not with standing any thing contained in Sub-Section (1), nothing contained in this Act shall apply to the members of any Scheduled Tribe within the meaning of clause (25) of article 366 of the constitution unless the Central Government, by notification in the official Gazette, otherwise directs".

Therefore adoption cannot be a means for claiming Scheduled Tribe status and adoption of non-tribal children by Scheduled Tribe parents is invalid for the purpose of Constitution.

Hence, I Sri Kantilal Dande, I.A.S., the Collector and District Magistrate, Prakasam District, Ongole in exercise of the powers conferred under Section 5(1) of A.P. (SC/ST/BC) regulation of issue of Community Certificates Act, 16 of 1993, and read with G. O. Ms. No. 58 S. W. (J) Department, dated 12-5-1997. A.P. Scheduled Castes, Scheduled Tribes and Backward Classes Issue of Community, Nativity and Date of Birth Certificate Rules, 1997 read with G.O. Ms. No. 58, S. W. (J) Department, dated 12-5-1997 hereby cancel the ST Yanadi certificate issued to Sri Mellaboina Srisailam S/o Lachaiiah, originally Mandra, Narketpally Mandal, Nalgonda District falsely claiming to be from Kukatlappally Village of Ballikurava Mandal, Prakasam District dated 25-7-1988 by the then Mandal Revenue Officer, Ballikurava.

An appeal lies to the Government against this order within 30 days from the date of receipt of this order.

KANTILAL DANDE,
District Collector,
District Magistrate,
Prakasam District,
Ongole.

NOTIFICATION

In view of the recommendations of the District Level Scrutiny Committee, and in exercise of the powers conferred under Sub-Rule 9(7) and 9(9) of the A.P. (SC/ST/BC) regulation of issue of Community, Nativity and Date of Birth Certificate Act, 1993 and read with G. O. Ms. No. 58, S. W. (J) Department, dated 12-5-1997 and obtained by Malleboina Srisailam S/o Lachiah of Kukatlappalli Village of Ballikurava Mandal caste certificate dated 25-7-1988 to Malleboina Srisailam S/o Lachiah originally Mandra Village, Narketpally Mandal, Nalgonda District as 'YANADI' Caste, Scheduled Tribe, issued by the then Mandal Revenue Officer, Ballikurava is hereby cancelled.

KANTILAL DANDE,
Collector and
District Magistrate,
Prakasam District.

Ongole.,
25th April,, 2011.

Pt. 04/28/2009

జుడిషియల్ ప్రకటనలు

CIVIL COURT - ONGOLE

I. P. No. 12/2011

Between :

Bathula Sai Rahul,
S/o late Ramesh Babu,
Aged 22 years, Hindu,
R/o Opp. Maruthi Apartments,
Dharavari Thota,
Ongole,
Prakasam District.

-----Petitioner

Vs.,
Thanneru Srinivasa Rao
and 4 others

-----Respondents

Notice is hereby given under Section 10 of Provincial Insolvency Act that the Petitioner has applied to this Court praying for the adjudication of the acts of the Insolvency of the Petitioner and pass orders for administration of the debts and property of the petitioner by Official Receiver, Ongole.

The above said I.P. posted to 10-6-2011

Dated this the 21st day of April, 2011

(Sl.),
Prl. Senior Civil Judge,
FAC Additional Senior Civil Judge,
Ongole.